REMARKS

Applicant files the RCE accompanying these amendments in order to enable the Examiner to review the newly presented amended claims in view of the previous final rejection. The Office Action in rejecting the previously submitted claims relied upon Waite (US Patent No. 3,057,383) and Grisley (US Patent No. 5,711,356). The Office Action stated that Waite met the elements in previously filed claim 21 as including a bottom plate (17), a rear plate (1), an alignment member (34 and 54), a first and second adjustment (col. 6, lines 4-38), a front plate (10; fig. 10) and a post (col.7, par. 4). The Office Action furthermore states that the device of Grisley meets the elements of the claimed limitations including a bottom plate (2), a rear plate (4), at least one handle (14), an alignment bar (30), a clamp (col. 4, par. 5 – col. 5, line 10), at least one marker (68) and an auxiliary board (fig. 6).

It is respectfully submitted that the claims as now presented do not read upon the structure of Waite and Grisley for the following reasons. Claim 21 now specifies that the jig has a bottom plate with a plurality of grooves for selectively receiving a cutting tool therein and that a rear plate is joined to the bottom plate and extends orthogonally away therefrom and defines a trough to receive a pair of stacked parallel workpieces and that the alignment member carried by one of the rear and bottom plates aligns the pair of stacked parallel workpieces with respect to the grooves in the bottom wall which enables the simultaneously cutting a route in each of the pair of workpieces.

As pointed out in the Specification, this is particularly important in that it enables two or more stacked parallel workpieces such as boards 12, to be placed in the trough defined by the rear plate and bottom plate which are orthogonal to each other, as clearly shown in Figs. 1, 5 and 6, and that the alignment member 62 carried by one of the rear plates and bottom plates aligns the pair of workpieces 12 with respect to grooves 22 in the bottom plate, as shown in Fig. 1. Thus, when a cutting tool 90 moves through the grooves 22 in bottom plate 20 it simultaneously cuts routes in each of the stacked parallel workpieces enabling the

workpieces to be subsequently removed and accurately joined together accurately as shown in Fig. 7.

No such jig structure is shown in Waite or Grisley which would accomplish this result. Element 17 of Waite is not a bottom wall as set forth in the Final Rejection, but is a back wall as clearly shown in Fig. 1, with member 11 being another member which cannot be a rear plate orthogonal thereto since it is parallel with member 17. So clearly there is no back plate or rear plate which extends orthogonally away from the bottom plate in Waite. Furthermore, it is clearly shown in Figs. 1 and 7 of Waite that the two workpieces are not stacked in a parallel relationship with respect to each other as shown in Fig. 1 of Applicant's drawings and set forth in claim 21, but are abutted at their ends so that cutting tool 25 when moved through the edges of the abutted workpieces, which are joined in their final configuration as shown particularly in Fig. 7, form aligned troughs. The jig of Waite operates on a completely different principle and utilizes a different structure then Applicant's jig since in Waite the two workpieces are arranged in a 90° fashion, as clearly shown in Fig. 7, and are not arranged in a stacked parallel relationship in a trough formed by a bottom plate and orthogonal rear plate as defined in claim 21. Furthermore, there is no alignment member which aligns a pair of stacked parallel workpieces in Waite.

Grisley shows a jig for forming grooves or routes in a single board for subsequently joining, as in a box joint, as does Applicant's jig. However, the workpieces or boards must be individually worked upon, initially by cutting one series of routes in one edge of one board 62 as shown in Fig. 2, and then separately cutting offset joints or routes in a second board 64 as shown in Fig. 3, which boards are then subsequently joined. There is no trough formed between a bottom plate and an orthogonally extending rear plate for receiving at least a pair of stacked parallel workpieces for simultaneously cutting a route in each of the workpieces. Member 30 in Grisley is not an alignment bar as stated in the Final Rejection, but is a fixed framework that supports surface 20 for slidable movement of the framework (Col. 4, lines 41-43). Furthermore, the alleged handle 14 is a positioning or stop member that acts as a reference surface against which

workpieces are positioned before making cuts guided by template 2 (Col. 3, lines 48-51). Also, numeral 68 in Grisley is a slot formed in a housing 70 in Fig. 6 and it is not understood how it could be a marker and an auxiliary board as set forth in the Office Action. Again, the structure of Grisley is completely different from that of Applicant's as now defined in amended claim 21, and its method of forming routes is completely different in that it requires each board to be separately cut and the board surface 20 moved before forming a second cut on another board to be joined to the first board. It is readily seen that this would be considerably more time consuming and difficult to achieve accurate results then in Applicant's jig wherein at least two boards are cut simultaneously so that the two boards after being cut can be joined together in a box joint or similar type of joint construction.

In view of the foregoing, the Applicant respectfully requests reconsideration of the claims and most earnestly solicits the issuance of a formal notice of allowability for the claims. Please call the undersigned attorney if any questions remain after this amendment.

Respectfully submitted at Canton, Ohio this 20th day of October, 2006.

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